

AMENDED IN ASSEMBLY JULY 24, 1997

AMENDED IN ASSEMBLY JULY 2, 1997

AMENDED IN SENATE MARCH 12, 1997

SENATE BILL

No. 193

Introduced by Senator Mountjoy

January 23, 1997

An act to amend Sections 2 and 3 of Chapter 352 of the Statutes of 1976, to amend Section 4 of Chapter 620 of the Statutes of 1989, to amend Section 2 of Chapter 625 of the Statutes of 1991, and to amend Section 1 of Chapter 317 of the Statutes of 1993, relating to state real property.

LEGISLATIVE COUNSEL'S DIGEST

SB 193, as amended, Mountjoy. State real property.

Existing law requires the Department of General Services to perform various functions and duties with respect to state property.

This bill would authorize the Director of General Services, with the approval of the State Public Works Board, to sell, exchange, lease, or transfer specified parcels of state property. The bill would also exempt a sale, exchange, lease, or transfer of these parcels from specified provisions of the California Environmental Quality Act, and would require the reservation of mineral rights, as specified.

This bill would authorize the Governor to direct the Department of General Services to transfer to the United States National Park Service property for inclusion within the San Francisco Maritime National Historic Park.

This bill would rescind the authorization of the Director of General Services to sell, exchange, or lease specified parcels of state property.

This bill would authorize the Director of Parks and Recreation, with the approval of the State Public Works Board and the Director of General Services, to sell or exchange specified parcels of state property and would provide that the net proceeds derived from these sales or exchanges are to be deposited in the State Parks and Recreation Fund.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Director of General Services, with
2 the approval of the State Public Works Board, may sell,
3 exchange, lease, or transfer for current market value or
4 for any lesser consideration authorized by law and upon
5 those terms and conditions and subject to those
6 reservations and exceptions as the Director of General
7 Services determines are in the best interest of the state,
8 all or any part of the following real property:

9 Parcel 1. Approximately 1.37 acres, with structures
10 used as offices by the State Department of Health
11 Services, located at 5545 East Shields Avenue, Fresno,
12 Fresno County.

13 Parcel 2. Approximately 1.11 acres, with a structure
14 used as a laboratory and office space by the State
15 Department of Health Services, located at 1449 West
16 Temple Street, Los Angeles, Los Angeles County.

17 Parcel 3. Approximately 6.4 acres of vacant land,
18 being a portion of Agnews Developmental Center, West
19 Campus, located at the northeast corner of Montague
20 Expressway and Lick Mill Boulevard, Santa Clara County.

21 Parcel 4. Approximately 21 acres of vacant land, being
22 a portion of the Agnews Developmental Center, West
23 Campus, located on the east side of Lick Mill Boulevard,
24 Santa Clara County.



1 Parcel 5. Approximately 0.76 acre of vacant land
2 identified as Lot 15, Havenhurst Drive, Encino, Los
3 Angeles County.

4 SEC. 2. (a) Notices of every public sale shall be
5 posted on the property to be sold under this act and shall
6 be published in a newspaper of general circulation
7 published in the county in which the real property to be
8 sold is situated.

9 (b) Any sale, exchange, lease, or transfer of the parcels
10 described in this act is exempt from Chapter 3
11 (commencing with Section 21100) to Chapter 6
12 (commencing with Section 21165), inclusive, of Division
13 13 of the Public Resources Code.

14 SEC. 3. (a) The Department of General Services
15 shall be reimbursed for any cost or expense incurred in
16 the disposition of any parcels.

17 (b) The net proceeds of any moneys received from the
18 disposition of any parcels described in this act shall be
19 deposited in the General Fund and be available for
20 appropriation in accordance with Section 15863 of the
21 Government Code, except as follows:

22 (1) The net proceeds derived from the sale or
23 exchange of Parcels 1 to 6, inclusive, of Section 8 of this
24 act shall be deposited in the State Parks and Recreation
25 Fund.

26 SEC. 4. As to any property sold pursuant to this act
27 consisting of 15 acres or less, the Director of General
28 Services shall except and reserve to the state all mineral
29 deposits, as described in Section 6407 of the Public
30 Resources Code, below a depth of 500 feet, without
31 surface rights of entry. As to property sold pursuant to this
32 act consisting of more than 15 acres, the Director of
33 General Services shall except and reserve to the state all
34 mineral deposits, as described in Section 6407 of the
35 Public Resources Code, together with the right to
36 prospect for, mine, and remove the deposits. The rights
37 to prospect for, mine, and remove the deposits shall be
38 limited to those areas of the property conveyed that the
39 director, after consultation with the State Lands

1 Commission, determines to be reasonably necessary for
2 the removal of the deposits.

3 SEC. 5. Section 2 of Chapter 352 of the Statutes of 1976
4 is amended to read:

5 Sec. 2. The Governor may, whenever he or she
6 determines it to be in the best interests of the state, direct
7 the Department of General Services to transfer to the
8 United States National Park Service the following
9 properties for inclusion within the Golden Gate National
10 Recreation Area pursuant to Public Law 92-589 (86 Stat.
11 1299) or for inclusion in the San Francisco Maritime
12 National Historic Park pursuant to Public Law 100-348
13 (102 Stat. 654).

14 (a) San Francisco Maritime State Historical Park,
15 including vessels and the Haslett Warehouse, which may
16 be leased with the proceeds from the lease or leases
17 credited toward the maintenance, repair, and related
18 expenses of the historic vessels of San Francisco Maritime
19 National Historic Park.

20 SEC. 6. Section 3 of Chapter 352 of the Statutes of 1976
21 is amended to read:

22 Sec. 3. (a) Prior to any transfer pursuant to Section
23 1 of this act the state shall maintain all such properties in
24 their current physical condition.

25 (b) No new lease, concession, or other agreement
26 between the state and any person shall be entered into
27 pertaining to properties under Section 1 of this act unless
28 it is made subject to termination upon transfer of the
29 affected property to the United States or its approved by
30 the appropriate agency of the United States.

31 (c) Any lease, concession, or other agreement not
32 included in subdivision (b) may be transferred to the
33 National Park Service.

34 (d) Every instrument of transfer pursuant to this act;
35 ~~except for those properties specified in subdivision (a) of~~
36 ~~Section 2 of Chapter 352 of the Statutes of 1976, as~~
37 ~~amended by this act shall provide that any land~~
38 ~~transferred shall be reconveyed only to the state and,~~
39 ~~except for the Haslett Warehouse, shall provide that any~~
40 land not used for a purpose consistent with the purposes

1 of the Golden Gate National Recreation Area, as specified
2 in Public Law 92-589 (86 Stat. 1299), as amended, or with
3 the purposes of the San Francisco Maritime National
4 Historic Park, as specified in Public Law 100-348 (102 Stat.
5 654), as amended, shall revert to the state.

6 (e) There shall be reserved to the state all mineral
7 deposits, as defined in Section 6407 of the Public
8 Resources Code, together with the right to prospect for,
9 mine, and remove such deposits, but such right shall be
10 limited to those areas of the property transferred which
11 the Director of General Services determines to be
12 reasonably necessary for the removal of such deposits.

13 SEC. 7. Section 4 of Chapter 620 of the Statutes of 1989
14 is amended to read:

15 Sec. 4. The Director of General Services, with the
16 approval of the State Public Works Board, may sell,
17 exchange, or lease for current market value or for any
18 lesser consideration authorized by law and upon such
19 terms and conditions and subject to such reservations and
20 exceptions as the Director of General Services
21 determines are in the best interests of the state, all or any
22 part of the following real property:

23 PARCEL 1. Approximately 0.5 acre, consisting of a
24 vacant parcel adjoining the campus of California State
25 University, San Bernardino, and fronting on North Park
26 Circle near its intersection with State College Parkway in
27 the City of San Bernardino.

28 PARCEL 2. Approximately 0.4 acre with a structure,
29 known as the Paskenta Residence of the Department of
30 Forestry and Fire Protection and fronting on Toomes
31 Camp Road near its intersection with Mountain View
32 Road in Tehama County.

33 PARCEL 3. Approximately 2.68 acres in two parcels
34 known as Rio Vista North Fishing Access No. 1 of the
35 Department of Fish and Game and lying between State
36 Highway Route 84 and the Sacramento River
37 downstream of its confluence with Cache Slough and
38 Steamboat Slough in Solano County.

39 PARCEL 4. Approximately 1.0 acre known as Rio
40 Vista North Fishing Access No. 2 of the Department of

1 Fish and Game and fronting on the west side of State
2 Highway Route 84 and the Sacramento River
3 downstream of its confluence with Cache Slough and
4 Steamboat Slough in Solano County.

5 PARCEL 5. Approximately 2.22 acres, consisting of
6 part of the Los Ranchos Wildlife Area of the Department
7 of Fish and Game fronting on the eastern right-of-way of
8 State Highway Route 227 near its intersection with the
9 right-of-way of the Southern Pacific Transportation
10 Company in San Luis Obispo County near the
11 unincorporated community of Edna.

12 PARCEL 6. Approximately 0.86 acre with a structure
13 utilized as office space by the Department of Motor
14 Vehicles and known as 379 Colusa Avenue, Yuba City.

15 PARCEL 8. Approximately 0.48 acre, being the
16 eastern portion of the Military Department's Santa Ana
17 Armory located at 612 East Warner Avenue, Santa Ana.

18 PARCEL 9. Approximately 0.13 acre, consisting of an
19 unimproved, subdivided lot fronting on Palisades Beach
20 Road immediately adjacent to Santa Monica State Beach.

21 PARCEL 10. Approximately 0.12 acre, consisting of
22 an unimproved, subdivided lot fronting on Palisades
23 Beach Road immediately adjacent to Santa Monica State
24 Beach.

25 PARCEL 11. Approximately 0.23 acre, consisting of
26 an unimproved, subdivided lot fronting on Palisades
27 Beach Road immediately adjacent to Santa Monica State
28 Beach.

29 SEC. 8. Section 2 of Chapter 625 of the Statutes of 1991
30 is amended to read:

31 Sec. 2. The Director of General Services, with the
32 approval of the State Public Works Board, may sell,
33 exchange, or lease for current market value or for any
34 lesser consideration authorized by law and upon those
35 terms and conditions and subject to those reservations
36 and exceptions as the Director of General Services
37 determines are in the best interest of the state, all or any
38 part of the following real property:



1 Parcel 1. Approximately 0.95 acre, with a structure
2 used as a field office by the California Highway Patrol at
3 25111 The Old Road, Newhall, Los Angeles County.

4 Parcel 2. Approximately 0.92 acre, with a structure
5 used as a field office by the California Highway Patrol at
6 60 North Highland Springs Avenue, Banning, Riverside
7 County.

8 Parcel 3. Approximately 3.13 acres, with a structure
9 used as a field office by the California Highway Patrol at
10 1382 West Olive Avenue, Fresno, Fresno County.

11 Parcel 4. Approximately 1.08 acres, with a structure
12 used as a field office by the California Highway Patrol at
13 11050 13th Avenue, Hanford, Kings County.

14 Parcel 5. Approximately 0.95 acre, with a structure
15 used as a field office by the California Highway Patrol at
16 79-500 Varner Road, Indio, Riverside County.

17 Parcel 6. Approximately 1.92 acres, with a structure
18 used as a field office by the California Highway Patrol at
19 1800 East Childs Avenue, Merced, Merced County.

20 Parcel 7. Approximately 0.73 acre, with a structure
21 used as a field office by the California Highway Patrol at
22 Navahoe Road at Highway 50, Meyers, South Lake Tahoe,
23 El Dorado County.

24 Parcel 9. Approximately 1.43 acres, with a structure
25 used as a field office by the California Highway Patrol at
26 2031 East Santa Clara Avenue, Santa Ana, Orange
27 County.

28 Parcel 10. Approximately 0.94 acre, with a structure
29 used as a field office by the California Highway Patrol at
30 19055 Portola Drive, Salinas, Monterey County.

31 Parcel 12. Approximately 1.1 acres, with a structure
32 used by the Department of Motor Vehicles, located at 222
33 Harding Boulevard, Roseville, Placer County.

34 Parcel 13. Approximately 1.3 acres, with a structure
35 used by the Department of Motor Vehicles, located at 615
36 Locust Street, Redding, Shasta County.

37 SEC. 9. Section 1 of Chapter 317 of the Statutes of 1993
38 is amended to read:

39 Section 1. The Director of General Services, with the
40 approval of the State Public Works Board, may sell,

1 exchange, or lease for current market value or for any
2 lesser consideration authorized by law and upon those
3 terms and conditions and subject to those reservations
4 and exceptions as the Director of General Services
5 determines are in the best interest of the state, all or any
6 part of the following real property:

7 Parcel 1. Approximately 0.75 acre, with a structure
8 used as a field office by the California Highway Patrol, at
9 1444 Parkway Drive, Crescent City, Del Norte County.

10 Parcel 3. Approximately 0.96 acre, with a structure
11 used by the Employment Development Department, at
12 233 E. Commonwealth Avenue, Fullerton, Orange
13 County.

14 Parcel 4. Approximately 10.01 acres, with
15 improvements thereon, used by the California State
16 University at Stanislaus, at 3500 Geer Road, Turlock,
17 Stanislaus County.

18 Parcel 5. Approximately 1.68 acres of land, formerly
19 the site of a field office of the Department of Motor
20 Vehicles that was destroyed by fire in April of 1992,
21 located at 2627 Pacific Avenue, Long Beach, Los Angeles
22 County.

23 SEC. 10. The authorization to sell, exchange, or lease
24 the following properties is rescinded by Sections 8 and 9
25 of this act, as the concerned state agencies have reported
26 that the following properties are no longer considered
27 surplus:

28 (a) Parcel 8 of Section 2 of Chapter 625 of the Statutes
29 of 1991.

30 (b) Parcel 11 of Section 2 of Chapter 625 of the Statutes
31 of 1991.

32 (c) Parcel 2 of Section 1 of Chapter 317 of the Statutes
33 of 1993.

34 SEC. 11. The Director of Parks and Recreation, with
35 the approval of the State Public Works Board and the
36 Director of General Services, may sell or exchange for
37 current market value, upon those terms and conditions
38 and subject to those reservations and exceptions that may
39 be in the best interest of the state, all or part of the
40 following property:

1 Parcel 1. Approximately 0.32 acre of land at
2 Carpinteria State Beach within the community of Mussell
3 Shoals in Ventura County.

4 Parcel 2. Approximately 1,600 square feet of land
5 located at the Skylandia Park portion of the Tahoe State
6 Recreation Area near Tahoe City, Placer County.

7 Parcel 3. Approximately 1,800 square feet of land
8 located north of Mackinaw Road at the William B. Layton
9 Park portion of the Tahoe State Recreation Area in Tahoe
10 City, Placer County.

11 Parcel 4. Approximately 1,900 square feet of land
12 located at Morro Strand State Beach near Cayucos, in San
13 Luis Obispo County.

14 Parcel 5. Approximately 1 acre of land at Sinkyone
15 Wilderness State Park, near Shelter Cove, Mendocino
16 County.

17 Parcel 6. Approximately 2.5 acres of open space
18 easement at the Bishop Peak portion of Morro Bay State
19 Park, near the City of San Luis Obispo, San Luis Obispo
20 County.

